



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket: LP-2016

Applicants : Hanspeter Mettler et al.
Serial No. : 10/577,385 Art Unit 4121
Filed : July 3, 2006 Examiner Sarah M. Pihonak
Title : BLISTER PACK

REPORT OF INTERVIEWS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 8, 2010 the undersigned attorney had a telephone interview with the Examiner concerning the rejection in the Final Office Action of December 9, 2010. The undersigned attorney pointed out that applicants claimed benefit of their priority European application (03024865.2) that had the filing date of October 31, 2003, and that the copy of such priority document in the application file was in English. The undersigned attorney pointed out that applicants' application had benefit of such priority date of October 31, 2003, and that the Section 371 date of the primary reference, (Duprat de Paule et al.), US Patent No. 6,878,665, was March 23, 2004. The undersigned attorney said that therefore US Patent No. 6,878,665 was not a viable reference against applicants' claimed invention and therefore the obviousness rejection failed. The Examiner agreed and said that the (Final) Office Action was null and void. The undersigned attorney requested issuance of a new nonfinal Office Action.

The undersigned attorney pointed out that the PCT Publication No. WO 03/029259 (of the PCT application underlying US Patent No. 6,878,665) had a publication date of April 10, 2003, which was earlier than applicants' priority date of October 31, 2003. The undersigned

attorney stated that the closeness of the dates meant that the rules allowed applicants to swear behind such PCT publication (if they can). The Examiner said that a new nonfinal Office Action would be issued.

The Examiner called the undersigned attorney on March 9, 2010. The Examiner said that a new nonfinal Office Action would be issued (using such PCT publication in the rejection combination). The Examiner said that such PCT publication was in French so the US patent would be used for the purpose of providing corresponding English to the French. The Examiner said that the new nonfinal Office Action would be issued by the end of the week.

The undersigned attorney thanks the Examiner for the courtesy of the two telephone interviews.

Respectfully submitted,

March 17, 2010
Date

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